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FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

THE SECRETARY - ROOM 222

25 FEB 1993

IN REPLY REFER TO:
7330-7/1700A3

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MAR -9 1993

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Honorable Norman Sisisky
Member, U.S. House of
Representatives
309 County Street, Suite 204
Portsmouth, Virginia 23704

Dear Congressman Sisisky:

This is in reply to your letter of February 11, 1993, in which you inquired on behalf of your constituent, Frederick R. House, regarding the Notice of Proposed Rule Making (Notice) in PR Docket No. 92-235, 57 FR 54034 (1992). This Notice proposes comprehensive changes to the Commission's Rules governing the private land mobile radio services operating in the frequency bands below 512 MHz.

Those rules have been in place for over 20 years. While they have been amended on numerous occasions since that time, they nonetheless embody regulatory concepts based on yesteryear's technology and, unless changed, will stifle the growth and development of private land mobile radio technology and services, which are used primarily by local governments, public safety entities, and businesses to enhance their productivity. The Commission issued the Notice, therefore, to solicit comment from all interested persons on a wide variety of proposals designed to increase channel capacity, to promote more efficient use of these channels, and to simplify the rules governing use of these channels.

The proposals in the Notice reflect to a large extent concepts and proposals submitted in the initial inquiry stages of this proceeding. None of the proposals set forth in the Notice, however, are engraved in stone. Indeed, the proposals represent our best judgment at this stage of the proceeding on steps that must be taken to improve the regulatory climate for users of the private land mobile radio spectrum below 512 MHz. To this end, some of the critical issues that must be resolved relate to channel spacing, the amount of time provided to users to convert to new technical standards, how the 300 to 500 percent increase in channel capacity should be licensed, how the rules should be written to provide users technical flexibility, and whether the current nineteen radio services should be consolidated and, if so, how. I have enclosed for your information a copy of that part of the Notice that describes the numerous proposals.

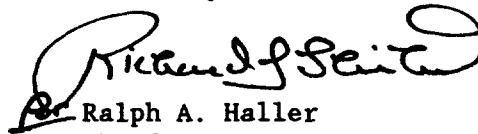
Mr. House is specifically concerned about the impact of these changes on radio control (R/C) hobby users. Enclosed is a discussion paper concerning our proposals for the 72-76 MHz band. In short, we expect there would be no adverse impact on R/C operations because of any proposal contained in the Notice.

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List A B C D E

We are, of course, sensitive to the concerns of both users of private land mobile radio spectrum and R/C hobbyists. We will, therefore, take into careful consideration all their comments. Your constituent's concerns will be fully evaluated when we develop final rules in this proceeding. As indicated in the Notice, we remain convinced that without significant regulatory change in radio operations in the bands below 512 MHz, the quality of communications in the private land mobile radio services will continue to deteriorate to the point of endangering public safety and the national economy.

We want to thank you for your interest in this proceeding. Comments on the proposals set forth in the Notice are due May 28, 1993, and Reply Comments are due July 14, 1993. We expect final rules to be issued in 1994. We urge your constituent to file formal comments on all aspects of the proposals.

Sincerely,



Ralph A. Haller
Chief, Private Radio Bureau

Enclosures:
Notice
Order
Discussion paper

cc:
Chief, PRBureau
Chief, LM&M Divison
Docket Files, Room 222
P&P Branch File (Pink)

CNTL NO - 9300650

DFertig/RShiben:/yb/lm:PR

Congressional

DUE OBC: 2-25-93

PLEASE MAKE 2 EXTRA COPIES OF INCOMING, ATTACHMENTS,
AND REPLY FOR DOCKET FILE, ROOM 222.

CONGRESSIONAL CORRESPONDENCE TRACKING SYSTEM
02/17/93

LETTER REPORT

CONTROL NO.	DATE RECEIVED	DATE OF CORRESP	DATE DUE	DATE DUE OLA(857)
9300650	02/17/93	02/11/93	03/02/93	

TITLE	MEMBERS NAME	REPLY FOR SIG OF
Congressman	Norman Sisisky	BC

CONSTITUENT'S NAME	SUBJECT
Frederick R House	inq. comments on PR Docket 92-235

REF TO	REF TO	REF TO	REF TO
PRE/Lmr 2-18-93			

DATE	DATE	DATE	DATE
02/17/93			

REMARKS: Respond to the Portsmouth, VA office.

NORMAN SISISKY
4TH DISTRICT, VIRGINIA

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2352 RAYBURN BUILDING
WASHINGTON, DC 20515-4604
(202) 225-6365

PRB
92-235
650

Congress of the United States

House of Representatives
Washington, DC 20515-4604

CONSTITUENT SERVICE OFFICES

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PETERSBURG, VA 23804
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EMPORIA EXECUTIVE CENTER
425H SOUTH MAIN STREET
EMPORIA, VA 23847
804-634-5575

February 11, 1993

Ms. Ellen Rafferty
Congressional Liaison Specialist
Federal Communications Commission
1919 M Street, NW
Washington, D. C. 20554

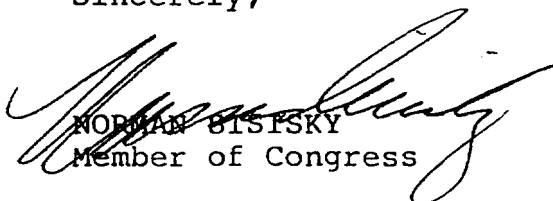
Dear Ms. Rafferty:

I have enclosed a copy of the correspondence I have received from Frederick R. House, 20 Aylwin Crescent, Portsmouth, Virginia 233 702.

Please examine the contents and answer the questions raised.

Please respond to my staff at 309 County Street, Suite 204, Portsmouth, Virginia 23704.

Sincerely,


NORMAN SISISKY
Member of Congress

NS/sd
Enclosure

FEB 10 1993

THE HONORABLE NORMAN SISISKY
309 County Street
Portsmouth, Virginia

FEBRUARY 5, 1993

Dear Mr. Sisisky,

Since a very young age I have been interested in aviation. For several generations family members have been involved flying both full scale and model aircraft. For my eighth birthday, I was given my first gas powered model by my uncle, a naval aviator.

My model aviation interests continued through my schooling, as I regularly read Model Airplane News in the library. In my senior year of high school I realized my lifelong dream; to own a radio controlled aircraft. Since then I have been actively involved in this hobby.

I am very concerned about proposed rules that are under consideration by the Federal Communications Commission (FCC). The proceeding is PR Docket 92-235. If adopted, the new rules will greatly reduce the usability of frequencies currently assigned for model use and increase the risk of accidents and attendant liability for operating model airplanes.

Our radio control frequencies are in the 72-76 Mhz band. This band is primarily used for private land mobile dispatch operations. However, our radio control frequencies in this band are far enough apart from the land mobile frequencies that we have been able to share the band without either use interfering with the other.

During the last five years, the FCC increased the available "aircraft use only" frequencies from the original number of six (6) to the current fifty (50) frequencies. This change in the band plan involved extensive equipment upgrades for radio control operators, and was phased-in over several years.

Now the FCC wants to create more land based frequencies by soliciting them into narrower bandwidths and rearranging the band plan once again! As a result, many land mobile frequencies will move closer to the radio control frequencies and will cause interference to radio control operations. I am told that of the 50 frequencies presently available for radio control of model airplanes, only 19 useable frequencies will be left if these rules are adopted.

ONLY TWO YEARS AGO THE FCC GRANTED US THE BALANCE OF THESE
NEW FREQUENCIES AND NOW WANT TO RENDER SIXTY-TWO PERCENT
(62%) OF THEM UNUSEABLE !!!

I SEE THIS AS TWO STEPS FORWARD AND ONE GIANT STEP BACKWARD!

When we fly our models under radio control, we go to great lengths to assure the safety of the operators and bystanders and the protection of property. Many of our safety precautions involve the careful coordination and use of the radio control frequencies. Just such coordination has been evident with the staged phase-in of new frequencies and the elimination of the original six.

If the number of useable frequencies is diminished as proposed by the FCC, the remaining frequencies will become congested and the margin of safety will be greatly decreased!

Please understand that I own aircraft that have wing spans in excess of 11 feet. The heaviest model I presently own weighs 20 pounds with fuel. Other models currently flown can weigh up to 55 pounds and still fly at sanctioned events!

These models themselves are expensive to build, but more to the point, they are capable of causing property damage, serious injury, or even death if radio interference causes the operator to lose control of the aircraft. We often fly my models at organized events and contests where hundreds of operators participate.

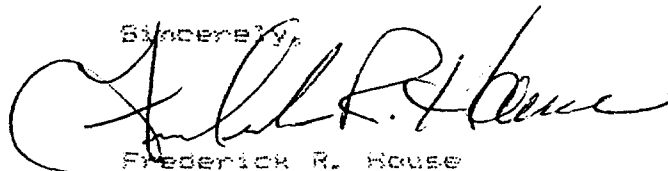
WE NEED OUR FULL COMPLIMENT OF RADIO FREQUENCIES IN ORDER TO INSURE A SAFE FLYING ENVIRONMENT.

I do not think it wise of the FCC to seek to improve the operating conditions of land mobile radio users at the expense of radio control modelers. The FCC may not think we are as important as business users of radios, but we have a considerable investment in our models and in our radio equipment. This hobby provides countless hours of enjoyment to thousands of people like myself and contributes to the advancement and development of the commercial aviation industry.

Being of Native American descent, I find the Washington
bureaucrats "forked tongue" extremely difficult to bear.

PLEASE HELP ME CONTINUE THE SAFE ENJOYMENT OF MY PASTTIME BY
NOT ALLOWING THE FCC TO CARRY OUT ITS PROPOSALS FOR THE 72-
75 MHz BAND.

Sincerely,

A handwritten signature in cursive script, appearing to read "F. R. House".

Frederick R. House
20 Sylvan Crescent
Portsmouth, Va. 23702

Enclosure

- Copy -

FCC
1915 M Street, NW
Washington, D.C. 20515

February 6, 1993

Dear Sirs,

This letter is in response to the recently issued FCC Notice of Proposed Rule Making (NPRM-PR Docket 92-235).

According to information supplied to me by The Academy of Model Aeronautics, The Federal Communications Commission is considering a massive frequency restructuring plan developed by the FCC Land Mobile Service.

Please allow me to express my deep concerns and frustration regarding this plan.

I have been involved in model aviation for over thirty years. During the last twenty years, my primary modeling involvement has focused on radio controlled models.

Years ago, there were only six available aircraft frequencies, excluding amateur radio. This caused much frustration as there were many more pilots than available frequencies.

Since 1970, when I became involved in Radio Control, this sport/hobby has experienced phenomenal growth. As a result of this growth, the FCC designated a phased in frequency program to provide additional frequencies for model use.

R/C modelers traded the six original frequencies spaced at 50 khz apart for new frequencies spaced 40 khz apart. This was the first stage of a great plan. In 1981, we were assigned an additional group of frequencies and the spacing between frequencies shrunk to 20 khz.

To accommodate the current fifty (50) aircraft use only channels assigned by the FCC, all transmitters and receivers will be required to be "narrow-banded". I discarded all my previously owned equipment and exclusively use equipment certified for use in the current interference prone environment.

"ONE STEP FORWARD, TWO STEPS BACK"!!!

NPRM-PR Docket 92-235 will place additional frequencies between currently available model channels. These proposed frequencies are only 2.5 khz away from many of our 72 and 73 Mhz frequencies. Transmitters for these proposed frequencies will operate at almost four times the power that our transmitters do. Additionally these will be "mobile" transmitters...in cars, trucks and vans!

Consider the following scenario... A modeler is flying an aircraft and all is going well. Someone with a transmitter in his car drives by while using a radio only 2.5 kHz away from the R/C flyers frequency. ZAPP !!! His transmitter interferes with the R/C transmitter and the plane becomes uncontrollable. Moments later the uncontrollable aircraft impacts the ground, striking a person or some piece of property. The mobile operator will be unaware of his involvement in this catastrophe and continue his drive. The modeler will be left with the loss of his aircraft and the liability for damage, injury or death that resulted from such interference.

THIS WILL CREATE A DANGEROUS ENVIRONMENT FOR THOSE OPERATING RADIO CONTROLLED MODELS! IF THE FCC IMPLEMENTS SUCH A PLAN, THEY SHOULD BEAR AN APPROPRIATE SHARE OF THE LIABILITY!

In recent years models have grown much larger. My largest model is a quarter scale Piper aircraft weighing about twenty (20) pounds! I have other craft that weigh less, but which travel above 60 mph in level flight.

The current Academy of Model Aviation weight limit for takeoff weight is 55 lbs. Currently popular ducted fan models (jets) can exceed 180 mph!!!

SAFETY IS A MAJOR CONCERN HERE !!!

LIABILITY INSURANCE WILL BECOME UNAVAILABLE AS THE RISKS OF OPERATION OF R/C AIRCRAFT WILL BECOME TOO GREAT !!!
LOCALITIES WILL EXCLUDE MODELERS DUE TO SAFETY/LIABILITY CONCERNS... RADIO CONTROL MODEL AVIATION WILL DISAPPEAR.

I am a member of two different R/C clubs. The primary interest of one is powered aircraft, while the other is primarily sailplanes and electric power. Both clubs are using land provided by the city/county for the express use of modelers.

MONEY CONCERNS ARE REAL !!!

The City of Suffolk, Virginia, in a cooperative effort with the Hampton Roads Radio Control club is about to dedicate a new field at Lone Star Lakes Park. This has involved real money on behalf of our club and the city.

I have invested several thousand dollars in models and recent equipment upgrades mandated by the current 20 kHz frequency spacing. Additionally I have been developing certain techniques for utilization of composite materials in the manufacturing of Almost Ready to Fly (ARF) high performance sailplanes. Manufacturing of prototype aircraft has already begun.

I STRONGLY OPPOSE IMPLEMENTATION of PR DOCKET 92-235.

FREQUENCIES CURRENTLY AVAILABLE FOR MY USE ON 72 and 75 Mhz BANDS MUST NOT BE INFRINGED UPON... NOW OR IN THE FUTURE.

PROPOSED "mobile" FREQUENCIES MUST NOT BE PLACED ADJACENT TO MODEL CHANNELS AS DESCRIBED IN FCC Part 95.

THE FEDERAL COMMUNICATIONS COMMISSIONS "LEFT HAND DOESN'T KNOW WHAT ITS RIGHT HAND IS DOING WITH REGARD TO FREQUENCY ALLOCATION !!!

IN 1991 THE FCC COMPLETED A NEW BAND PLAN THAT ALLOWED FOR FIFTY (50) NEW AIRCRAFT USE ONLY FREQUENCIES. NOW, TWO YEARS LATER, THE FCC IS PROPOSING A PLAN THAT RENDERS SIXTY-TWO PERCENT (62%) or 31 OF THESE FREQUENCIES UNUSEABLE.

THIS PROPOSED PLAN IS BOTH UNFAIR AND STUPID.

SINCERELY,

FREDERICK R. HOUSE
20 AYLWIN CRESCENT
PORTSMOUTH, VA 23702